

### **REMARKS**

Claims 1, 2, 4-6, 8, 10, 12, 13 and 16-20 are currently pending in this Application with claims 1, 2, 4-6 and 19 allowed. Claims 3, 7, 9, 11, 14, 15 and 21 have previously been canceled. Claims 8, 10, 12, 13, 16-18 and 20 stand rejected. By entry of this amendment Applicant amends claims 12 and 20 and adds new claim 22.

#### **Summary of Interview**

Applicant notes with appreciation the consideration of an interview in this case on June 18<sup>th</sup> at the Examiner's Office. In the interview, it was agreed that *Moncrief* (U.S. Patent No. 5,531,661) does not teach or disclose "each said die mounted on a rotating wheel" as currently claimed in claim 16. It was also agreed that nip rolls (36) and lugs (62) in *Moncrief* do not mesh.

It was also agreed that *Dietrich* (U.S. Patent No. 5,657,610) does not teach or disclose channels that diverge as claimed in claim 10.

It was also agreed that *Kontz* (U.S. Patent No. 4,472,217) does not teach or disclose a support which moves in a parallel plane to the elongated member as claimed in claim 16.

It was agreed that Applicant would prepare a response to the Office Action.

#### **35 U.S.C. § 102 Rejections (Claim 10)**

The Examiner rejected claim 10 under 35 U.S.C. § 102(b) as being anticipated by *Dietrich et al.* (U.S. Patent No. 5,657,610). The Examiner asserted that *Dietrich* discloses a mechanism for grouping articles in which an endless conveyor moves an endless series of channels (depressions (39)) along which articles are passed and that articles are organized into groupings (product bowls (38)) which are then subdivided into sub-groupings (depressions (39)) and pushed into containers.

The rejection of claim 10 is respectfully traversed. In the interview it was agreed that *Dietrich* does not teach or disclose channels that diverge. Withdrawal of the rejection of claim 10 is respectfully requested.

**35 U.S.C. § 102(b) Rejections (Claims 12, 13, 16-18, and 20)**

The Examiner rejected claims 12, 13, 16-18, and 20 under 35 U.S.C. § 102(b) as anticipated by *Kontz* (U.S. Patent No. 4,472,217). The Examiner asserted that *Kontz* discloses a method and apparatus for packaging in which the outer part of an article contains a protrusion (15) which is sensed by a positioning assembly, and used to orient the article. Claims 12, 13, 16-18 and 20 were previously allowed, but on Page 2 of the Office Action the Examiner withdrew the allowance indicating that the recitation of structure in the claims precluded them from being considered means-plus-function claims. Claim 12 has been amended to remove such structural limitations and is believed to be in means plus function format. Withdrawal of the rejection of claims 12, 13, 16-18 is respectfully requested.

Claim 20 has been amended to include limitations directed to moving a support in a substantially parallel plane to an elongate member. In the interview it was agreed that *Kontz* does not teach or disclose this limitation. Withdrawal of the rejection of claim 20 is respectfully requested.

**35 U.S.C. § 103 Rejections (Claim 8)**

In the Office Action, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Moncrief* (U.S. Patent No 5,531,661). The Examiner asserted that *Moncrief* discloses a method and apparatus for forming cartons in which a collapsed sleeve or carton blank (B) is conveyed past a die member (feed roll (36)) which has an indentation (cutaway (58)) and that a complementary die member (nip roll (38)) is provided to work with the die member (36).

The rejection is respectfully traversed. During the interview it was agreed that *Moncrief* does not teach or disclose the limitation "each said die being mounted on rotating wheels." It was also agreed that *Moncrief* does not teach or disclose the meshing of the dies as required by claims 8. Withdrawal of the rejection of Claim 8 is respectfully requested.

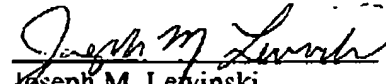
**Newly Added Claim 22**

Applicant has added new claim 22 which is similar to previous claim 12 but written in non-means-plus-function format and includes limitations directed to the movement of the support in relation to the elongate member as found in claim 16. In the interview, the Examiner agreed that *Koniz* does not teach or disclose the movement of the support in a parallel plane to an elongate member as claimed in claim 16. Claim 22 is believed to be allowable.

**Conclusion**

It is believed that this Application is in condition for allowance and Applicant respectfully requests that a timely Notice of Allowance be issued. No fees are believed due. Should any minor points remain prior to issuance of a Notice of Allowance, the Examiner is requested to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

  
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